

GREG JONES - Re: ZM Fisa

From: GREG JONES
To: Michael Maltbie
Date: 8/28/01 11:51AM
Subject: Re: ZM Fisa

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HEREIN IS UNCLASSIFIED
DATE 11/21 BY [signature]

Mike -

1) I'm curious as to why the Al-Khattab/UBL info will be added later if it is what is required to establish the foreign power connection and therefore make the LHM fit the FISA requirements. It seems that we are setting this up for failure if we don't have the foreign power connection firmly established for the initial review.

All of the following references to pages and paragraphs are based on your LHM:

2) On page 4, paragraph 1 you changed "preparing himself to fight" to "train together in defensive tactics." I think that ZM has engaged in some overt acts which can also be construed as offensive tactics (carrying knives, actively working out physically) as admitted by Al-Atlas. During the interview, neither Al-Atlas nor ZM used the term "defensive tactics." I think that softens our argument and misrepresents the statements of Al-Atlas.

3) On page 4, paragraph 2 you changed Harry's language per our telephone conversation. Now that I see it in print, I think that we might be misstating Al-Atlas' response to Harry and John's questions. Al-Atlas admitted that he knew ZM had a plan, but Al-Atlas "kept himself from hearing it." Harry and John confirmed that Al-Atlas' statement was that even though ZM was talking about a plan, Al-Atlas didn't agree with it and therefore "didn't hear it."

4) Page 4, para 4: You deleted the reference to ZM's ability to deliver a "convincing" explanation. You stated that "Moussaoui would [sic] give an explanation..." (I think you left out the not). This is not quite accurate because he did give an explanation..but it was not convincing. He stated he was interested in a "joy ride" yet he was preoccupied with studying and preparing and was anxious to return to his studies as soon as he was released. We believe this is relevant because his preparation was inconsistent with a "joy ride." This again speaks to his pattern of deceptive answers during the interview.

5) Page 4, para 5: Similar to point #4 above - You wrote "Moussaoui would not explain..." Our interview reported that he did try to explain the money, but his explanation fell short. I concur with you deleting the "Minneapolis opines..." but some reference to his employment as a free-lance telemarketer in the UK (for which he could provide no telephone or address) may provide additional background as to why we don't believe his story.

6) Page 5, para 1: You didn't include the first name of [redacted] (Tchilo). I'm not sure if this is by design (it may well not be significant). [redacted]'s mother did not describe him as being dangerous in general terms, she specifically referred to him as "the dangerous one." I think this is significant - and it accurately reflects the information as it was provided to us by DST.

That is about it - I welcome your thoughts on our comments. Thanks.

Greg

>>> Michael Maltbie 08/28/01 10:05AM >>>

See attached - my refinements of the LHM. Give me your comments. We will add the foreign power info re Al-Khattab/UBL later, when we get an atty to buy this argument.